

**REMARKS**

The Patent Office rejected claims 1-10 under 35 U.S.C. § 103(a) as being unpatentable over Nanaji (U.S. Patent No. 5,630,528) in view of Kopl et al. (U.S. Patent No. 5,447,062). Applicant has cancelled claims 1-10 without prejudice and added new claims 11-20.

Claims 11-18 claim a fuel dispenser having upstream valves, a liquid measuring device, and downstream valves within corresponding nozzles, wherein no additional valves are located between the liquid measuring device and the nozzles. Claims 19-20 are similar to claims 11-18 and define a method for dispensing fuel.

The combination of Nanaji and Kopl fails to teach or suggest a fuel dispenser having a common liquid measuring device, wherein two or more downstream valves are located within corresponding nozzles and no additional valves are located between the liquid measuring device and the nozzles. Kopl discloses a flow meter having a screw spindle arrangement. Nanaji discloses a fuel dispenser having inlet valves (101-103), a meter (90), and outlet valves (111-113). However, the outlet valves (111-113) are located between the meter (90) and nozzles (71-73) and not within the nozzles (71-73). Nanaji also discloses actuating levers (81-83) within the nozzles (71-73) used in combination with the outlet valves (111-113). However, Nanaji fails to disclose downstream valves within the nozzles (71-73) and no additional valves being located between the meter (90) and the nozzles (71-73).

Since the combination of Nanaji and Kopl fails to explicitly or inherently disclose a fuel dispenser including two or more upstream valves, a liquid measuring device, and two or more downstream valves within corresponding nozzles, wherein no additional valves are located between the liquid measuring device and the nozzles, claims 11-20 are allowable. Reconsideration of the application is respectfully requested.

Respectfully submitted,

WITHROW & TERRANOVA, P.L.L.C.

By:



Steven N. Terranova  
Registration No. 43,185  
P.O. Box 1287  
Cary, NC 27512  
Telephone: (919) 654-4520

Date: May 12, 2003  
Attorney Docket: 2400-422A

<p><b>CERTIFICATE OF TRANSMISSION</b> I HEREBY CERTIFY THAT THIS DOCUMENT IS BEING TRANSMITTED VIA FACSIMILE ON THE DATE INDICATED BELOW, AND IS ADDRESSED TO:</p> <p>Examiner: Bomberg Art Unit: 3754 Fax: 703-872-9302</p> <p><u>Jan Garrison</u> Name of Sender</p> <p><u>Jan Garrison</u> Signature</p> <p><u>5/10/03</u> Date of Transmission</p>
--

**Withrow & Terranova**

Professional Limited Liability Company

Attorneys At Law

Registered Patent Attorneys

*A High Technology Patent Practice***FAX RECEIVED**

MAY 12 2003

**GROUP 3700****FACSIMILE TRANSMITTAL SHEET**

TO:	Examiner Kenneth Bomberg	FROM:	Jennifer A. Garrison, CLA
COMPANY:	USPTO	DATE:	05/12/2003
FAX NUMBER:	703-872-9302	TOTAL NO. OF PAGES INCLUDING COVER:	6
PHONE NUMBER:		SENDER'S REFERENCE NUMBER:	2400-422A
RE:	Response to Office Action Mailed 03/28/2003	YOUR REFERENCE NUMBER:	10/079,234

☐ URGENT ☒ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ ORIGINAL TO FOLLOW

NOTES/COMMENTS:

NOTE: The information contained in this transmission is privileged and confidential and intended ONLY for the individual or entity named above. If you should receive this transmission in error, please notify our office and return to the below address via the U.S. Postal Service.

201 SHANNON OAKS CIRCLE, SUITE 200

CARY, NC 27511

PH: (919) 654-4520

FAX: (919) 654-4521